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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroki YOSHIKAWA et al.

Group Art Unit: 1756

Application No.: 10/806,202

Examiner: S. ROSASCO

Filed: March 23, 2004

Docket No.: 119162

For: METHOD OF PRODUCING PHASE SHIFT MASK BLANK, METHOD OF PRODUCING PHASE SHIFT MASK, PHASE SHIFT MASK BLANK, AND PHASE SHIFT MASK

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the September 28 Restriction Requirement, Applicants provisionally elect claims 1-34, with transverse.

It is respectfully submitted that the subject matter of all of claims 1-55 is sufficiently related that a thorough search for the subject matter of any one of claims 1-55 would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.